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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. This report is submitted pursuant to Security Council resolution 1255 (1999) of 30 July 1999, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 January 2000 and requested me to continue to keep it regularly informed and to report three months from the date of the adoption of the resolution on the situation in Abkhazia, Georgia. Pursuant to that request, I submitted a report to the Security Council on 22 October 1999 (S/1999/1087). The present report provides an update of the situation as at 19 January 2000.

2. UNOMIG is headed by my Special Representative for Georgia, Dieter Boden, who assumed his duties on 24 November 1999. He was assisted until 31 December 1999 by Major General Tariq Waseem Ghazi as Chief Military Observer, who concluded his assignment after 14 months of exceptional and dedicated service. His successor is Major General Anis Ahmed Bajwa (Pakistan). The strength of UNOMIG, as at 20 January 2000, stood at 101 military observers (see annex).

II. POLITICAL ASPECTS

3. Since he assumed his duties, my Special Representative has met with the President of Georgia, Eduard Shevardnadze, Abkhaz leader Vladislav Ardzinba, and the Minister for Foreign Affairs of the Russian Federation, Igor Ivanov. He has also met with other representatives of the Georgian and Abkhaz sides, the Russian Federation, in its capacity as facilitator, the Organization for Security and Cooperation in Europe (OSCE) and the members of the group of Friends of the Secretary-General. All these interlocutors pledged to support him in his efforts towards reinvigorating the peace process. They also expressed their readiness to work simultaneously on several key issues: improving the security situation, providing for the return of refugees and internally displaced persons, improving economic conditions and preparing the ground for a comprehensive political settlement, including the political status of Abkhazia, Georgia.

4. During the meetings, there was general agreement on the need to make full use of the existing machinery of the peace process. Subsequently, the negotiating process was resumed on 18 and 19 January 2000, after a nine-month hiatus, when the ninth session of the Coordinating Council of the Georgian and Abkhaz sides was convened at Tbilisi under the chairmanship of my Special Representative. Participants included the Georgian delegation, led by State Minister Vazha Lordkipanidze, the Abkhaz delegation, led by de facto Prime Minister Viacheslav Tsugba, and representatives of the Russian Federation as facilitator, OSCE and the group of Friends of the Secretary-General. In connection with the Council's session, the leaders of the Abkhaz delegation were received by President Shevardnadze.

5. During the session, which was organized around small bilateral working groups focused on specific issues, the two sides expressed their commitment to continuing their dialogue on practical questions. Concretely, they reached agreement on (a) the protocol establishing a mechanism for joint investigation of violations of the Moscow Agreement and other violent incidents in the zone of conflict; (b) the disinterring and reburial of Georgian remains buried near Sukhumi and assistance from the Georgian side in locating the buried remains of Abkhaz killed during the war; and (c) further steps for the rehabilitation and use of the Inguri dam and power station.

6. The sides also agreed to renew negotiations on a draft document on peace and the non-resumption of hostilities. Furthermore, they requested my Special Representative to carry out preparatory work for a third meeting on confidence-building measures, on the basis of his report on this question. The report, which had been distributed to the members of the Coordinating Council in December 1999, reviews the extent to which the confidence-building measures agreed on by the sides have been implemented and proposes steps for further action.

7. In parallel to the work on practical matters through the Coordinating Council mechanism, my Special Representative called repeatedly for work to proceed on issues relating to the comprehensive political settlement of the conflict in Abkhazia, Georgia, on the basis of the principles of Georgian sovereignty and territorial integrity. In pursuance of Security Council resolution 1255 (1999), a draft document entitled "Basic principles for the distribution of constitutional competences between Tbilisi and Sukhumi" has been submitted for comments to the representatives of the Russian Federation as facilitator, OSCE and the group of Friends of the Secretary-General. It is envisaged that, at a later stage, ways of moving this issue forward will be explored with the two sides. Until now, however, the Abkhaz side remains very reluctant to discuss the distribution of constitutional competences between Tbilisi and Sukhumi.

8. In December 1999, the New York representatives of the group of Friends of the Secretary-General informed the Secretariat that they had agreed to approve the request of the Government of Ukraine, which became a member of the Security Council on 1 January 2000, to take part in their work.

9. In the Georgian parliamentary elections of 31 October 1999, in which some 67.7 per cent of the eligible population took part, the ruling Citizens Union of

Georgia won a clear majority in the 235-seat parliament. Only two others, the Revival bloc led by Aslan Abashidze, Chairman of the Supreme Council of the Autonomous Republic of Ajaria, and the Industry Will Save Georgia party, received the minimum 7 per cent of the votes required to qualify for the 150 seats allocated by proportional representation. No elections were held for the districts of Abkhazia and the parliamentarians already representing those constituencies retained their seats.

10. Following the Abkhaz "presidential elections" of 3 October 1999, an "inauguration" ceremony was held at Sukhumi for Abkhaz leader Vladislav Ardzinba on 6 December. In subsequent days, Mr. Ardzinba reshuffled some members of his "government". A key change was the replacement of de facto Prime Minister Sergei Bagapsh, who in that capacity had led the Abkhaz delegation in the Geneva peace process, by Viacheslav Tsugba.

11. Georgia and the Russian Federation agreed, in the margins of the OSCE Istanbul Summit (16-17 November 1999), in a joint statement annexed to the Final Act of the Conference of the States Parties to the Treaty on Conventional Armed Forces in Europe, that the Russian Federation would withdraw two of its four military bases in Georgia by 1 July 2001, including the base at Gudauta, in Abkhazia, Georgia.

III. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

12. UNOMIG continues to perform its mandate without structural changes and within the concept of "limited patrolling" introduced in February 1998 (see S/1998/497, para. 9). The opening of the team bases in the Gali and Zugdidi sectors remains under constant review in the light of the operational necessities and security considerations. However, under the present circumstances the Chief Military Observer does not see the need to reactivate them. For reasons of security (see para. 24 below), it is intended to close the team base in the Kodori Valley.

13. UNOMIG has expanded the use of its helicopters since they are essential for access to remote areas and to areas such as lower Gali where the mine threat is significant. The helicopters also project a visible United Nations presence over the entire area of responsibility of UNOMIG and give it the capacity to rapidly deploy personnel to a trouble spot, as needed.

14. The joint fact-finding mechanism, which includes representatives of the Georgian and Abkhaz sides, UNOMIG and the collective peacekeeping force of the Commonwealth of Independent States (CIS), has continued to operate on an ad hoc basis, helping to clarify the facts surrounding violations of the Moscow Agreement of 14 May 1994 and other violent incidents in the zone of conflict. To date, 14 investigations have been initiated, and in four cases suspects have been detained by law enforcement agencies. Representatives of the two sides at the local level continue to express their support for the work accomplished by the joint mechanism. At the recent meeting of the Coordinating Council, agreement was reached on a protocol providing a formal framework for the joint investigation mechanism (see para. 5 above).

15. On 5 November 1999, the Russian Federation decided to close the Russian-Georgian border at the Psou River to all crossings, including by UNOMIG personnel and vehicles. This decision has blocked a possible exit route from the zone of conflict and is seriously complicating the procurement of supplies for the Mission. Consultations are under way with the authorities of the Russian Federation to resolve this issue.

IV. SITUATION ON THE GROUND

16. The general situation in the UNOMIG area of responsibility has remained calm but unstable throughout the reporting period, and there were no serious violations of the 1994 Moscow Agreement. Predictions of an aggravation of the situation in connection with the parliamentary elections of 31 October in Georgia proved to be unfounded.

17. Two significant violent incidents during the reporting period were related to the laying and explosion of anti-tank mines near the village of Achigvara (Gali sector) in the Restricted Weapons Zone. In the first incident, on 1 December 1999, five persons were killed. In the second, on 1 January 2000, a civilian bus detonated a mine on the main trunk road through the area, the M27, fortunately without causing serious casualties. The explosion occurred shortly before the passage of a UNOMIG patrol vehicle, whose occupants were able to assist the passengers of the bus. Another serious incident was the abduction on 17 January of two UNOMIG observers in Gali city (see para. 22 below). These incidents created serious concern about security in the area and hindered the activities of the United Nations and international non-governmental organizations.

18. Implementation of some of the measures of the protocol of 24 September 1998 on stabilization of the situation along the line of separation of forces (see S/1998/1012, para. 7) is proceeding. In November 1999, Georgian Ministry of the Interior troops were withdrawn from their posts along the ceasefire line. On the Abkhaz side, there are currently no militia posts close to the ceasefire line. While undirected shooting across the line continues to occur frequently, incidents of targeted shooting have been rare.

19. The high level of criminal activity along and across the ceasefire line and the lack of effective action and mutual cooperation by the law enforcement agencies on both sides continues to be a cause for serious concern. A series of tit-for-tat kidnappings occurred in December 1999 when six persons were abducted in the Gali sector and five in the Zugdidi sector. Negotiations on the release of these hostages are continuing. There has also been a spate of criminal lootings by bandit groups in the Gali sector. These crimes wax and wane seasonally and are believed to be linked to the mandarin harvest.

20. Meanwhile, despite the lack of proper security conditions for returning refugees and internally displaced persons, and the lack of a much-needed agreement on this issue, a process of administrative and economic normalization is under way in the Gali district, affecting positively the daily lives of its residents, who are showing some signs of optimism for a better future.

V. SECURITY SITUATION

21. The security and safety of UNOMIG personnel remain a high priority of the Mission's leadership. The mine explosion on 1 January 2000 that destroyed a local bus (see para. 17 above) has undermined confidence in the security of the main road through the Gali sector. The presence of a UNOMIG ballistic-protected patrol vehicle close to the incident was coincidental and, as the mine was pressure- rather than command-detonated, it seems that UNOMIG was not specifically targeted. As a security precaution after the incident, the Chief Military Observer temporarily restricted operations in and transit through the Gali sector.

22. On 17 January, two UNOMIG observers were abducted, held for two hours and then released unharmed by four armed and masked men in Gali city. The incident, in which UNOMIG was directly targeted, was assessed to be politically motivated and perhaps connected to the meeting of the Coordinating Council. All patrolling was therefore suspended for the time the Council was in session.

23. On 24 November, a vehicle of the Office of the United Nations High Commissioner for Refugees was shot at by unknown individuals in Gali town. Investigations by the local authorities, monitored by UNOMIG, are ongoing but no motive has yet been established and the perpetrators have not been apprehended. The incident has had a negative effect on humanitarian activities.

24. Since the kidnapping of UNOMIG personnel on 13 October 1999 in the Kodori Valley (see S/1999/1087, para. 18), the Georgian authorities have been unable to provide unequivocal assurance for the security of a UNOMIG presence in the Georgian-controlled upper part of the valley. Accordingly, the Chief Military Observer has decided that the UNOMIG team base in the valley is to be closed. Since 13 December 1999, UNOMIG ground and air patrols in the Abkhaz-controlled lower part of the valley have resumed on the basis of the security provided by the CIS peacekeeping force and the Abkhaz authorities.

VI. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACEKEEPING FORCE OF THE COMMONWEALTH OF INDEPENDENT STATES

25. Good relations with the CIS peacekeeping force continued at all levels during the past three months. In the area of formal liaison, and on a more personal basis at the checkpoints, cooperation has been remarkably good while roles and operations have been kept distinct. The peacekeeping force has involved itself in local assistance projects and provided security assistance to UNOMIG and non-governmental organizations on request. The sharing of information of mutual interest and participation in joint investigations are examples of the mutually beneficial relations between UNOMIG and the CIS force. The recent rotation of parts of the peacekeeping force has not affected the excellent spirit of cooperation between the two operations.

VII. HUMANITARIAN SITUATION AND HUMAN RIGHTS

26. During the reporting period, international organizations continued to carry out humanitarian assistance programmes in Abkhazia, Georgia. Accion contra el Hambre operated canteens (soup kitchens) throughout the area and distributed dry food parcels and agricultural kits to certain beneficiaries. The International Committee of the Red Cross distributed dry food parcels and medications, visited prisoners and facilitated a messaging service. The Halo Trust continued to map and clear mine fields, and to conduct mine awareness training programmes. Médecins sans Frontières (France) distributed drugs throughout the region, including the Gali district, and administered a tuberculosis treatment programme in cooperation with the Abkhaz de facto Ministry of Health. Première Urgence resumed its emergency home repair programme for vulnerable families. The United Methodist Committee on Relief (UMCOR), with support from the United States Agency for International Development, administered a youth house in Sukhumi. In November 1999, UMCOR opened a second youth house, in Zugdidi, which was unfortunately severely damaged in a fire on 27 December.

27. The small but active non-governmental organizations in Sukhumi continued their work, with support from international organizations. One local non-governmental organization, funded by UNHCR, Peace and Accord, extended its programme of feeding the lonely elderly in hospitals and at home, and provided beneficiaries with canned fruits and vegetables, clothing and slippers for the holidays. Another local non-governmental organization, supported by OXFAM, created a database of spinal injury and disability cases in Abkhazia, Georgia, which will be used to provide better-targeted medical services. OXFAM also sponsored a conference that brought together women leaders from throughout Abkhazia. The Office for the Coordination of Humanitarian Affairs continued to monitor the overall humanitarian situation in Georgia. United Nations Volunteers continued to carry out capacity-building programmes for local non-governmental organizations and confidence-building measures. UNHCR continues to monitor the human rights situation in Gali and, in some cases, to intervene on behalf of internally displaced persons.

28. The continuing instability along the ceasefire line negatively influences the human rights situation in the area. During the reporting period, some cases of looting were accompanied by gratuitous cruelty and violations of the personal integrity of the victims, including women and children, and efforts by the law enforcement organs to stop such crimes have not yet had tangible results. The number of abductions for ransom has also increased. In one such case, the daughter of a UNOMIG local staff member was abducted and has now been missing for over two months. Here too, while in many cases the perpetrators or their accomplices are apparently known, the actions of the local authorities have not produced results. Failure to take necessary steps in such cases may lead to a spread of abductions.

29. In December 1999, the Office of the United Nations High Commissioner for Human Rights, under the auspices of its Technical Cooperation Project, organized a week-long human rights seminar for 20 representatives of institutes of higher learning. The participants evaluated the event as useful and timely. A round table organized by the Office to address the situation of minorities in Abkhazia, Georgia, has led to the establishment of a permanent public council on

minority issues, which includes representatives of different ethnic and religious societies. That Council will provide a forum for expressing views on the subject and for shaping public policy. The Office has begun translating several international human rights documents into the Abkhaz language. It has also begun drafting a plan of action for human rights education in schools, universities and law enforcement organs and selected for funding several local non-governmental organization projects.

VIII. SOCIAL AND ECONOMIC ASPECTS

30. The general economic situation in Georgia remained relatively stable during the reporting period, but essential structural reforms in all spheres of the economy have not yet been implemented. Early in December 1999, a mission of the International Monetary Fund (IMF) announced its intention to delay the provision of financial assistance to Georgia until such time as the Government and IMF reached an agreement on the provisions of the state budget. Delays continue in the payment of wages and pensions. The implementation of a successful tax-collection regime and the eradication of corruption have not yet been achieved.

IX. FINANCIAL ASPECTS

31. By its resolution 53/232 of 8 June 1999, the General Assembly appropriated an amount of US$ 31,000,479 (gross), equivalent to $2,583,373 per month for UNOMIG for the period from 1 July 1999 to 30 June 2000. The assessment of these amounts is subject to the decision of the Security Council to extend the mandate of the Mission.

32. Should the Security Council decide to extend the mandate of UNOMIG beyond 31 January 2000, as recommended in paragraph 40 below, the cost of maintaining the Mission until 30 June 2000 would be limited to the monthly amounts approved by the General Assembly. I shall report to the General Assembly on the additional requirements needed, if any, for the maintenance of the Mission beyond 30 June 2000.

33. As at 31 December 1999, unpaid assessed contributions to the Special Account for UNOMIG amounted to $8.8 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1.5 billion.

X. OBSERVATIONS

34. My Special Representative, with support from representatives of the Russian Federation, as facilitator, OSCE and the group of Friends of the Secretary-General, and with the good will of the two sides, is trying to move the peace process forward by reviving the machinery created since 1997 in the framework of the Geneva process. As an important step in this direction, the Coordinating Council and its working groups should continue to convene regularly, in accordance with the Council's statute, to provide a forum for both sides to exchange views and resolve specific issues regardless of perceived domestic

constraints. The constructive spirit that prevailed during the ninth session of the Coordinating Council and the concrete steps forward it produced give grounds for cautious optimism.

35. In parallel with the revival of the peace process machinery, my Special Representative has worked closely with the Russian Federation as facilitator, OSCE and the group of Friends of the Secretary-General to formulate proposals addressing the distribution of constitutional competencies between Tbilisi and Sukhumi. The ultimate goal of the Geneva process is the comprehensive political settlement of the conflict and progress on the matter of status is an indispensable step towards that goal. The continuing reluctance of the Abkhaz side to discuss the matter is distressing.

36. The critical issue of the return of refugees and internally displaced persons whose continuing exile years after the cessation of hostilities remains an unacceptable tragedy, needs to be addressed urgently. I call on the two sides and the international community to find a formula for their return, in the first place to the Gali district in its old borders, so as to enable the international community to provide much-needed humanitarian assistance and to facilitate the establishment of proper security conditions. Since negotiations on earlier draft documents addressing these issues have reached a standstill, I urge the two sides to put forward and implement new approaches to resolve the problem of displacement, including the revival of Working Group II of the Coordinating Council.

37. As regards security, I welcome the recent progress made by the two sides on the establishment of a mechanism for joint investigation. The importance of concrete security measures, including measures to improve conditions for returnees to the Gali district, should be stressed, and I call on the sides to fully implement the protocol of 24 September 1998 (see S/1998/1012, para. 7) and to engage in frequent bilateral contacts regarding these issues, including at the local level. Full use should also be made of Working Group I of the Coordinating Council as a mechanism to discuss security issues.

38. The continuing steps towards full implementation of confidence-building measures on which the two sides have agreed, and the relationships they foster among members of various segments of society, are encouraging signs. I call on the sides to fully implement the measures on which they agreed during the Athens and Istanbul meetings. In this regard, the invitation of the Government of Ukraine to host the third meeting on confidence-building measures is appreciated.

39. Within the security-related limitations to its patrolling, UNOMIG is still able to carry out its core mandate effectively. Of major concern, however, is the prolonged absence of monitoring in the Georgian-controlled upper part of the Kodori Valley since the hostage-taking incident of 13 October 1999. The Georgian authorities are responsible for providing the necessary security conditions to enable the UNOMIG personnel to carry out their mandate in the Kodori Valley and they should take the necessary measures in this regard without delay. One indispensable step in this direction is the vigorous pursuit and prosecution of the perpetrators of the hostage-taking of 13 October, as well as

of those involved in earlier hostage-takings that occurred in areas under Georgian control.

40. UNOMIG continues to be a central element in the efforts to stabilize the situation in Abkhazia, Georgia, especially through its monitoring presence on the ground. At the same time, through its sustained efforts to further the peace process, the Mission plays an essential role in the search for a peaceful solution to the conflict. I therefore recommend that the Security Council extend the mandate of UNOMIG for a further six-month period, ending on 31 July 2000.

41. In conclusion, I would like to commend the leadership and the entire personnel of UNOMIG for their dedication and professionalism in carrying out their mandate in difficult and sometimes dangerous circumstances. To Major General Ghazi, who has now returned to the service of his country, I would like to extend and to put on record my appreciation for his truly exceptional and inspiring contribution to UNOMIG.

Annex

United Nations Observer Mission in Georgia: contributions as at 1 January 2000

Country	Military observers
Albania	1
Austria	5
Bangladesh	7
Czech Republic	4
Denmark	5
Egypt	3
France	3
Germany	10
Greece	4
Hungary	7
Indonesia	4
Jordan	6
Pakistan	6
Poland	4
Republic of Korea	3
Russian Federation	3
Sweden	5
Switzerland	4
Turkey	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	101

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